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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/778,769  | 02/08/2001  | Tohru Okahara        | 1359.1037           | 6576             |
| 21171   | 7590        | 12/31/2003           | EXAMINER            |                  |
| STAAS & HALSEY LLP<br>SUITE 700<br>1201 NEW YORK AVENUE, N.W.<br>WASHINGTON, DC 20005 |             |                      | SAX, STEVEN PAUL    |                  |
|   |             | ART UNIT             |                     | PAPER NUMBER     |
|   |             | 2174                 |                     | 5                |
| DATE MAILED: 12/31/2003   |             |                      |                     |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                      |                                      |   |
|------------------------------|--------------------------------------|--------------------------------------|---|
| <b>Office Action Summary</b> | Application No.<br><b>09/778,769</b> | Applicant(s)<br><b>Okahara et al</b> |  |
|                              | Examiner<br><b>Steve Sax</b>         | Art Unit<br><b>2174</b>              |   |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)  Responsive to communication(s) filed on \_\_\_\_\_.

2a)  This action is **FINAL**.      2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

**Disposition of Claims**

4)  Claim(s) 1-23 is/are pending in the application.

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) 2-14, 16-19, 21, and 22 is/are allowed.

6)  Claim(s) 1, 15, 20, and 23 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.

12)  The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13)  Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some\* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a)  The translation of the foreign language provisional application has been received.

15)  Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)      4)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_

2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)      5)  Notice of Informal Patent Application (PTO-152)

3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s). 2      6)  Other: \_\_\_\_\_

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## DETAILED ACTION

1. This application has been examined.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).
3. Claims 1, 15, 20, and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Martin et al (565066).
4. Regarding claim 1, Martin et al show terminal operated remotely over a network (column 9 lines 35-45, Figure 12), wherein the operating terminal includes an input part provided with a pointing device and a sampling rate adjusting part for altering the sampling rate of point information inputted from the input part (column 5 lines 1-15, column 6 lines 10-20, column 7 lines 30-50, column 11 lines 40-55). And an amount of point information transmitted to the

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network is adjusted by adjusting the sampling rate of the point information from the input part (column 7 lines 35-54, column 11 lines 40-55).

5. Regarding claim 15, in addition to the aforementioned, Martin et al also show the display part to be a shared screen (Figure 5) and an operation authority setting part for setting an operation authority for preferentially conducting an operation with respect to the operating terminal (column 6 lines 18-45), and cancellation of the set operation authority can be conducted by a particular operation of a pointer on the shared screen (column 7 lines 15-30, column lines 45-60).

6. Claim 20 shows the same features as claim 1 and is rejected for the same reasons.

7. Claim 23 shows the same features as claim 23 and is rejected for the same reasons.

8. Claims 2-9 and 16-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The specific details of how the adjusting, identifying, and set/cancellation are carried out, in context of the claims, are not set forth in the prior art of record.

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9. Claims 9-14 and 21-22 are allowable over the prior art of record. The specific details of how the adjusting, identifying, and set/cancellation are carried out, in context of the claims, are not set forth in the prior art of record.

10. Any inquiry concerning this communication should be directed to Steve Sax at telephone number (703) 305-9582.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steve Sax whose telephone number is (703) 305-9582. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703) 872-9306

Official Communication

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

*[Signature]*  
STEVE SAX  
PRIMARY EXAMINER